

**UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF TENNESSEE  
NASHVILLE DIVISION**

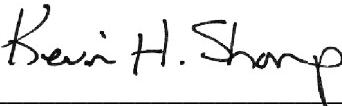
**UNITED STATES OF AMERICA** )  
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**v.**                            )     **No. 3:96-00051**  
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                                )  
                                )  
**MATTHEW OTIS CHARLES** )     **JUDGE SHARP**

**ORDER**

For the reasons set forth in the accompanying Memorandum, Defendant Matthew Otis Charles's "Petition for Reduction in Sentence" (Docket No. 176) is hereby GRANTED insofar as he asserts that his original sentence was based upon § 2D1.1 of the United States Sentencing Guidelines. With that ruling, his *pro se* Motion to Reduce Sentence Based Upon the Sentencing Act of 2010 (Docket No. 173) is hereby DENIED AS MOOT.

On Thursday, September 4, 2014, at 10:30 a.m., the Court will hold a hearing to consider whether it should exercise its discretion under 18 U.S.C. § 3142(c) and resentence Defendant under the Revised Guidelines promulgated under the Fair Sentencing Act. At that time the Court will entertain arguments on the factors set forth in 18 U.S.C. § 3553(a), and consider evidence and arguments relating to Defendant's post-conviction rehabilitation efforts. Prior to the hearing, the Probation Officer will submit an Amended Presentence Report.

It is SO ORDERED.



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KEVIN H. SHARP  
UNITED STATES DISTRICT JUDGE